

swinging the golf club along the intended swing plane and determining the correctness of the golf swing based on the indications from said elastic cord.

19. The method of claim 18 further comprising the steps of:

suspending a second elastic cord substantially parallel to said first elastic cord and substantially parallel to the ground;

positioning the golfer in a manner such that the intended swing plane of the golfer is substantially parallel to and between said first elastic cord and said second elastic cord;

20. The method of claim 19 further comprising the step of suspending the second elastic such that the plane formed by the said first elastic cord and said second elastic cord is substantially perpendicular to the intended swing plane of the golfer;

21. The method of claim 20 further comprising the step of repeating steps of positioning the golfer and swinging the club until the golfer can successfully complete the swing without interference from at least one of the elastic cords.

22. The method of claim 18 further comprising the step of adjusting said predetermined height, whereby a golfer of a different height or a club of a different length can be accommodated.

23. The method of claim 19 further comprising the step of adjusting distance between said first elastic cord and said second elastic cord, whereby the skill of the golfer can be further improved.

#### REMARKS – General

By the above amendment, Applicants have rewritten all claims to define the invention more particularly and distinctly so as to overcome the technical rejections and define the invention patentably over the prior art.

#### Detailed Action

Detailed Actions were identified to clarify phrasing according to 35 USC 112, ¶6. Applicants have changed wording in claim 9 from "pivot means" and "clamp means" to --pivoting means-- and --clamping means--. In addition, Applicants have amended claims to include the phrase "means for" in claims that Applicants wish to have treated under 35 USC 112, ¶6.

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### **The Objections to The Claims under § 112**

The Claims were objected to under § 112 for being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, claim 1 recited "at a height ranging from a level". Applicants have overcome this objection by removing the term "ranging". Claim 1 was replaced with Claim 10 and rewritten using the phrase "predetermined height".

### **The Rejection Of Claims under § 103**

Claims 1-7 were rejected under § 103 as being unpatentable over Stunden in view of Stone. Applicants have replaced claims 1-7 with rewritten claims 10 - 14 to define patentably over these references, and any combination thereof. Applicants request reconsideration of this rejection, as now applicable to claim 10, for the following reasons:

- (1) The Stunden and Stone references are from a very different technical field than that of the present invention.
- (2) The Stunden and Stone references do not contain any suggestion that they be combined.
- (3) The proposed combination would not be physically operative.
- (4) Even if Stunden and Stone were to be combined in the manner proposed, the proposed combination would not show all the novel features of claim 10.
- (5) These novel physical features of claim 10 produce new and unexpected results and hence are unobvious and patentable over these references.

### **The references And Differences of The Present Invention Thereover**

Applicants will discuss the novelty of the present invention over cited references prior to discussing the claims and the above five points.

Stunden presents a clothes drier that is collapsible and portable. The Studen clothes drier is designed to support static loads opposing gravity, particularly supporting clothes on clotheslines. Stunden's clothes drier would require significant modifications to make it big enough to accommodate the full swing of a golf club. If Stunden's clothes drier was configured to accommodate the full swing of a golf club, it would not have sufficient reinforcement to sustain the repeated urging and relieving of forces upon the lines. Many of the forces applied by a golf club are in the upward direction. If these forces are exerted on the Stunden clothes drier, the drier would lift into the air and collapse. A golf club can also exhibit forces in a lateral direction as the club is swung around the golfer. If lateral forces were exerted on the Stunden clothes drier, it would cause the bars "C" and "L" to continually change their relationship and eventually collapse. Stunden, lines 21-24 state "The frames close together laterally for removal from place to place when the clothes are on the line and collapse diagonally when not in use". If the Stunden clothes drier was configured to accommodate the

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full swing of a golf club, it would be very cumbersome when collapsed diagonally, thus defeating the benefit of easy removal from place to place.

Stone discloses a clothesline that can be disassembled and stored when not in use. A key feature of this clothesline is the elastic ropes used to lock in the arms of the clothesline and provide a line for hanging laundry. This clothesline uses pipes that are inserted into a larger diameter pipe or a socket. The tension on the elastic ropes helps keep the pipes in place while hanging laundry. If Stone's clothesline was configured to accommodate a practice golf swing, it would not have sufficient reinforcement to sustain the repeated urging and relieving of forces upon the lines. The urging and relieving of forces upon the elastic ropes would cause the support pipes inserted into the larger diameter pipes or socket to work their way free of the support. This has the potential of inducing damage to the golfer or the golf clubs.

#### **Stunden and Stone Are From A Very Different Technical Field**

Stunden and Stone both refer to inventions that are from a very different technical field than that of the present invention. The present invention is related to the training of a golf swing and the Stunden and Stone references are both related to hanging laundry. Neither reference contains any suggestions to use their disclosures for the purpose of sport training.

#### **The Stunden And Stone References Do Not Contain Any Suggestion That They Be Combined**

The Stunden and Stone references do not contain any suggestion that they be combined. The Stunden clothes drier is designed to be freestanding and collapsible. The Stone clothesline is designed to attach to fixed supports. If the Stunden clothes drier was adapted to attach to fixed supports, it would no longer be portable. The benefit of the Stone clothesline is that it can be disassembled. If Stone's clothesline was configured to be freestanding and collapsible, it would have no benefit over Stunden's clothes drier. As suggested, another combination is to use the elastic ropes of Stone's clothesline in the place of the lines used on Stunden's clothes drier. If the combination was used to dry laundry, the clothes would likely drag on the ground. In addition, having elastic ropes would provide no benefit for drying clothes over conventional lines. If the combination was used to train the proper golf swing, it would not have sufficient reinforcement to sustain the repeated urging and relieving of forces upon the elastic ropes. If upward forces are exerted on the Stunden clothes drier, even with elastic ropes, the drier would lift into the air and collapse in a similar manner as the clothes drier with conventional lines. If lateral forces were applied to the Stunden clothes drier with elastic ropes, bars "C" and "L" would continually change their relationship with one another and eventually collapse, similar to conventional lines. The present invention discloses a golf training having sufficient reinforcement to allow the repeated urging and relieving of forces upon said pair of elastic cords from a multitude of directions. Neither of the cited references, or a combination thereof, possess sufficient reinforcement to sustain the repeated urging and relieving of forces upon the lines or elastic ropes.

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**The Novel Physical Features of Claim 10 Produce New And Unexpected Results And Hence Are Unobvious And Patentable Over These References Under § 103**

Also applicants submit that the novel physical features of claim 10 are also unobvious and hence patentable under § 103 since they produce new and unexpected results over Stunden and Stone.

These new and unexpected results are the ability of applicant's apparatus to visually and physically represent the cross section of a proper golf swing plane. In addition to the representation of the swing plane, the current invention has the ability to restrict a golf club in the execution of an improper swing. Cited references were never intended to be used as a golf trainer, individually or in combination. Applicant's apparatus and method is therefore unobvious to those skilled in the art of drying clothes and those skilled in the art of training the proper golf swing.

**Dependent Claims Are Patentable Over Studen and Stone**

Dependent Claims 11-17 Are Patentable Over Stunden and Stone since they include the limitations of Claim 10 with additional subject matter.

Claim 11 more succinctly describes the physical structure based on the preferred embodiment of the present invention. It includes a "base" which prevents the forward elements from getting separated from the aft elements. In addition, it recites the physical "spreader" that separates the first end attachment member from the second end attachment member.

Claim 12 recites the means for adjusting the height of the elastic cords. This is unique for a golf swing trainer. Clotheslines can be set high enough for the tallest laundry and any shorter laundry can simply hang higher off the ground. For a golf swing it is important that the predetermined height be adjusted for different size golfers and different clubs.

Claim 13 recites a "plurality of attachment locations" along the first end attachment member and the second end attachment member. For a golf swing trainer, the distance between the cords is important, not the quantity of cords that can be attached. A clothes drier can improve capacity by increasing the number of attachment locations. The benefit of multiple attachment locations for a swing trainer is embedded in the ability to decrease the distance between the cords. As a golfer is able to improve the golf swing, a more narrow gap between the cords will further develop and improve the skill of the golfer.

Claim 14 recites the "plane formed by the said pair of elastic cords is substantially perpendicular to the intended swing plane of the golfer". This has no consequence for a

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clothesline. However, it more clearly defines the visual representation of the swing plane for the golfer.

Claim 15 recites further enhancement "rendering said golf swing plane training apparatus collapsible". This has benefits for the clothes drier and for the golf swing trainer. In the case of the golf swing trainer, it provides the benefit of being able to take the trainer to another facility such as a driving range.

Claim 16 recites the specific attachment techniques and pivoting members to effectively collapse the preferred embodiment of the swing trainer.

Claim 17 simply indicates the material, PVC, used to fabricate the preferred embodiment of the current invention.

#### **Method Claims are Used to More Clearly Define Subject Matter of Present Invention**

Claims 18-23 are used to more clearly define subject matter expressly related to a golf swing trainer. Most individuals skilled in the art of training a proper golf swing are aware of a "Swing Plane". What is unobvious is to use a cross section of the swing plane to train the complete and proper swing from takeaway to finish.

Claim 18 recites the step of "suspending an elastic cord at a predetermined height substantially parallel to the ground". This is a single cord that can be placed on the inside of the intended swing plane or on the outside of the intended swing plane. This is the unobvious step of using a relatively straight line to represent the swing plane. This step is followed with more common steps of positioning the golfer to the ball and actually swinging the club.

Claim 19 incorporates a second cord to form a pair. This pair will encompass either side of the swing plane.

Claim 20 further narrows claim 19 by defining the relationship of the pair of cords to the swing plane. In this case, the "plane formed by the said first elastic cord and said second elastic cord is substantially perpendicular to the intended swing plane of the golfer".

Claim 21 incorporates the step of repeating the steps of the previous claims. This is used to develop muscle memory. Golf is a sport that exhibits better results from more consistent ball striking. The act of repeating a proper swing between the cords will improve muscle memory and consequently better scores on the golf course.

Claim 22 recites an additional step of "adjusting said predetermined height". This is used to accommodate different length clubs. The driver is considerably longer than a wedge and therefore requires a different swing plane. The ability of the swing trainer to adjust to the



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different lengths of clubs is very beneficial. In addition, golfers of different heights and statures can be accommodated, with similar benefits.

Claim 23 recites the additional step of "adjusting distance between said first elastic cord and said second elastic cord". This will provide a means for a golfer to continually improve the desired swing.

#### Conclusion

For all the above reasons, applicants submit the claims are now in proper form and that the claims define patentably over prior art. Therefore they submit that this application is now in condition for allowance, which action they respectfully solicit.

#### Conditional Request For Constructive Assistance

Applicants have amended the claims of this application so they are proper, definite, and define novel structure, which is also unobvious. If, for any reason, this application is not believed to be in full condition of allowance, applicants respectfully request assistance and suggestions of the Examiner pursuant to M.P.E.P. § 2173.02 and § 707.07(j) in order that the undersigned can place this application in allowable condition.

Very respectfully,

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-----Applicants Pro Se-----

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